

**MINUTES
ZONING ADVISORY COMMISSION
REGULAR SESSION**

6:00 p.m.

Wednesday, February 5, 2025

City Council Chambers, Historic Federal Building

Commissioners Present: Chairperson Matt Mulligan; Commission Members Carrie Lohrmann, Rich Russell, Troy Froistadt and Teri Zuccaro

Commissioners Excused: Pat Norton and Martha Christ

Commissioners Unexcused: None.

Staff Members Present: Wally Wernimont, Shena Moon, and Travis Schrobilgen

CALL TO ORDER: The meeting was called to order by Chairperson Mulligan at 6:00 p.m.

MINUTES: Motion by Zuccaro, seconded by Russell, to approve the minutes of the January 8, 2025 meeting. Motion carried by the following vote: Aye – Lohrmann, Russell, Zuccaro, Froistadt, and Mulligan; Nay – none.

Chairperson Mulligan recused himself from the first action item and public hearing. Vice-Chairperson Rich Russell led the meeting for these items.

ACTION ITEM/FINAL PLAT: Application of Mike Dalsing, Estates of Dubuque to approve the Final Plat of Vintage Estates No. 2

Justin Lau, Buesing Associates, 1201 Locust Street, spoke on behalf of the applicant. He noted that there are currently two residential lots, and they were looking to create individual house lots since it was previously communal. Commissioner Russell asked what would happen to the parking lot and clubhouse parcels. Mr. Lau noted they would be owned by the homeowner's associate (HOA).

Staff Member Shena Moon detailed the staff report, noting that the Estates of Dubuque parent company, Vintage Cooperatives by Ewing Properties, is in the process of transferring ownership of the subdivision to the Homeowners Association of The Estates of Dubuque. As part of that process, they are seeking to dissolve the cooperative ownership structure and intend to further subdivide the existing lots so that each homeowner will own the lot on which their home resides. The proposed subdivision would create individual lots for each of the 35 single-family residences in the

subdivision. The streets would remain as originally platted. The streets and stormwater detention basin would remain private and be managed by the homeowner's association.

Staff noted that a letter requesting the Commission to table the case was submitted. Planning Services Director Wally Wernimont discussed the letter and noted that the letter describes a private legal matter and that the Commission and City Council are not party to it, and that it should have no bearing on this review.

The Commission questioned why the subdivision change is needed. Mike Dalsing, 3651 Vintage Lane, representative for the HOA noted that this new plat will allow them to sell lots to pay off the bank and others. Mr. Wernimont noted that the land use is not in question, but it is an ownership change and that the private legal matter between parties is not under the purview of the Commission. Mr. Dalsing further noted that the unfinished buildings would be owned by the new ownership. The Commission discussed whether tabling the request was necessary and ultimately decided to continue with the platting process and make a recommendation to City Council.

Motion by Russell, seconded by Zuccaro, to approve the Final Plat of Vintage Estates No. 2 as submitted. Motion carried by the following vote: Aye – Russell, Zuccaro, Lohrmann, and Froistadt; Nay – none.

PUBLIC HEARING/PUD AMENDMENT: Application of Mike Dalsing, Estates of Dubuque to amend the Planned Unit Development by updating the conceptual development plan and establishing bulk regulations.

Justin Lau, Buesing Associates, 1201 Locust Street, spoke on behalf of the applicant. He said that most of the lots would meet the R-1 district standards but since it was originally all one lot, there are a few lots that will not meet the bulk regulations.

Mariann Groom, 16693 Clay Hill Road, asked who will be responsible for maintaining the catch basins and excess property. Commissioner Russell noted that the HOA would be the owner and responsible for maintaining it.

Staff Member Shena Moon discussed the application. She noted that the applicant is requesting to amend the existing Planned Unit Development by updating the revised conceptual development plan and establishing bulk regulations for site development. The subdivision was originally rezoned to PUD with PR-Planned Residential designation to allow for the development of thirty-five (35) single-family homes along with three (3) new streets/cul-de-sacs, a stormwater detention basin, a club house, and a surface parking lot. She noted that the majority of the subdivision is fully constructed including the streets, club house, parking lot and detention basin. She stated that the majority of the residential homes have been completed with only a few still under construction.

Staff Member Moon stated that at this time the Estates of Dubuque desires to subdivide the individual residential lots so that the lots can be sold to the homeowners. As a result of this change, the PUD ordinance requires updates to the conceptual site plan to reflect

the new lot layouts and to establish bulk regulations for the subdivision. She then outlined the PUD amendments including the bulk regulations to allow a reduced front and rear setback, 38' minimum street frontage, and 50% lot coverage.

The Commissioner discussed the proposal, finding it appropriate.

Motion by Lohrmann, seconded by Froistadt, to approve the PUD amendment as submitted. Motion carried by the following vote: Aye – Russell, Zuccaro, Lohrmann, and Froistadt; Nay – none.

Chairperson Mulligan returned to the meeting.

PUBLIC HEARING/REZONING: Application of Wesley Wedewer, Harrison Street to rezone property from CS Commercial Service and Wholesale to C-3 General Commercial zoning district.

Wesley Wedewer, 406 Wyatt Drive, Peosta IA, spoke in favor of the request. He noted that he was seeking a rezoning in order to build and operate a physical therapy office which is considered a medical office and not allowed in the current CS zoning district.

Staff Member Schrobilgen detailed the staff report. He noted that the request is considered an expansion of an existing C-3 zoning district since the district is present to the west and south of the subject property. He said that traffic counts are not recent but noted that the rezoning would not substantially increase vehicle trips to the area. He pointed out that no public input has been received regarding the request. He said that the area has been transitioning from being historically primarily industrial type uses to more commercial uses noting that the subject property was rezoned from HI to its current CS district in 1986. He reminded the Commission that the site is currently vacant, and that any development would need to go through development review team and site plan review.

The Commissioner briefly discussed the proposal, finding it appropriate.

Motion by Zuccaro, seconded by Lohrmann, to approve rezoning request as submitted. Motion carried by the following vote: Aye – Russell, Zuccaro, Lohrmann, Froistadt, and Mulligan; Nay – none.

PUBLIC HEARING/REZONING QUASI-JUDICIAL: Application of Joel Callahan, Callahan Construction to rezone property from C-3 General Commercial to Planned Unit Development with PR-Planned Residential designation.

Joey Callahan, spoke on behalf of the applicant. He noted that the request is to rezone in order to create six apartment building development with a total of 180 market rate apartments.

John Schumacher, 457 Shinoak Ct., had an inquiry regarding whether the turn lanes would impact any other nearby properties. Mr. Callahan noted that there will be a partial reconstruction of the driveway entrances for the nearest neighboring commercial properties to the north of the subject site.

Staff Member Shena Moon detailed the staff report. She described the proposed Conceptual Development Plan noting that it includes six (6) three-story multi-family residential buildings each containing 30 units, totaling 180 units in all. She noted the developer has indicated the units will be market rate and feature a mix of one-, two-, and three-bedroom units. The development features 286 parking stalls, which includes 84 garage stalls, 195 surface stalls, and 7 ADA stalls. The proposed quantity of parking spaces exceeds the UDC requirement for multi-family properties of 1.5 stalls per unit, which equates to 270 stalls in this case. The development will feature recreation facilities including a clubhouse, pickleball courts, and a dog run. The subject property is planned to be subdivided into three lots and would be constructed in three phases.

Staff Member Moon said the site would be accessed by a 38'-wide private drive with an inbound lane, a left-turn outbound lane, and a right-turn outbound lane. The private driveway location has been reviewed and approved by the City of Dubuque Engineering Department to ensure adequate visibility for safe entry and exit from the development and adequate vehicle stacking space. To help accommodate vehicles entering the development, Cedar Cross will be widened and a new left-turn lane installed for vehicles traveling south on Cedar Cross. City Engineering staff have determined these turn lanes meet the anticipated traffic demand and mitigate impact on traffic traveling past on Cedar Cross Road.

Staff Member Moon concluded that prior to any development taking place on the property, the applicant would be required to obtain an approved Site Plan through the development review process. Site plans are reviewed by all relevant City departments regarding development standards such as access, parking, screening, paving, stormwater management, water connections, sanitary sewer connection, and fire safety.

Commissioner Lohrmann asked if specific bulk standards are a part of the rezoning. Staff Member Moon noted that the conceptual plan needs to be followed and noted that maximum height of 50' and that the R-4 bulk regulations would otherwise apply.

The Commissioner discussed the proposal finding it an improvement over the current commercial zoning district and noted that the site sits lower than the residential neighbors to the south, and is a good location for a multi-family residential project.

Motion by Zuccaro, seconded by Froistadt, to approve the rezoning request as submitted. Motion carried by the following vote: Aye – Russell, Zuccaro, Lohrmann, Froistadt and Mulligan; Nay – none.

ITEMS FROM PUBLIC: None.

ITEMS FROM COMMISSION: None.

ITEMS FROM STAFF: Planning Services Director Wally Wernimont updated the Commission on the status of the Unified Development Code Update. He said the surveys and meetings with the consultant have concluded and that the next step is a technical report. He noted the surveys links on the City's website and that the community survey includes options for written comments to be provided. He also briefly discussed the recent article in the Telegraph Herald which described some aspects of the project. He noted that the goal is to increase flexibility of the code and make it clearer to the public.

ADJOURNMENT: Motion by Russell, seconded by Zuccaro, to adjourn the February 5, 2025 Commission meeting. Motion carried by the following vote: Aye – Russell, Zuccaro, Lohrmann, Froistadt, and Mulligan Nay – none.

The meeting adjourned at 6:56 p.m.

Respectfully submitted,



Shena Moon, Associate Planner

March 5, 2025

Adopted